



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

5:32 P.M.

FRIDAY, June 26, 2009

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Nelson asked unanimous consent for a quorum call. Granted.

A quorum was present.

Speaker Pro Tempore Staskunas in the chair.

The prayer was offered by Reverend Nancy Hoelter from Good Shepherd Lutheran Church in Stoughton. Reverend Hoelter is the mother-in-law of Representative Mason.

Representative Clark led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 97.

Absent with leave – Representatives Friske and Strachota – 2.

Vacancies – None.

### LEAVES OF ABSENCE

Representative Suder asked unanimous consent for a leave of absence for today's session for Representatives Friske and Strachota. Granted.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 61**

Relating to: the life and public service of Ralph Houghton and honoring his many accomplishments.

By Representatives Barca, Steinbrink, Turner and Kerkman; cosponsored by Senator Wirch.

To committee on **Rules**.

### MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

#### Concurred in:

Assembly amendment 1 to **Senate Bill 39**

**Assembly Joint Resolution 54**

**Assembly Joint Resolution 56**

**Assembly Joint Resolution 60**

#### Adopted and asks concurrence in:

**Senate Joint Resolution 40**

### ACTION ON THE SENATE MESSAGE

#### **Senate Joint Resolution 40**

Relating to: the Great Lakes Indian Fish and Wildlife Commission.

By Senator Jauch; cosponsored by Representatives Sherman and Milroy.

To committee on **Rules**.

### REFERENCE BUREAU CORRECTIONS

Assembly Substitute Amendment 1 to **Assembly Bill 256**

1. Page 3, line 23: delete that line.

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## COMMUNICATIONS

June 26, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

During today's Assembly session I was excused on a leave of absence. I am writing to request that it be recorded in the Assembly Journal that I would have voted no on the motion of concurrence of the Report of the Committee of Conference on Assembly Bill 75 had I been present at today's session.

Please contact me if you have any questions regarding this request.

Sincerely,  
*PAT STRACHOTA*  
State Representative  
58th Assembly District

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Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 40** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### Senate Joint Resolution 40

Relating to: the Great Lakes Indian Fish and Wildlife Commission.

The question was: Shall **Senate Joint Resolution 40** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 40** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 61** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### Assembly Joint Resolution 61

Relating to: the life and public service of Ralph Houghton and honoring his many accomplishments.

The question was: Shall **Assembly Joint Resolution 61** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 61** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that Assembly Rule **35 (1)** be suspended. Granted.

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## MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Committee of Conference report on **Assembly Bill 75** (Conference amendment 1 to Senate substitute amendment 1)

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## ACTION ON THE SENATE MESSAGE

### Assembly Bill 75

Relating to: state finances and appropriations, constituting the executive budget act of the 2009 legislature.

The question was: Shall the Committee of Conference report on **Assembly Bill 75** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Wood, Young, Zepnick, Zigmunt and Speaker Sheridan – 51.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams, Ziegelbauer and Zipperer – 46.

Absent or not voting – Representatives Friske and Strachota – 2.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 75** be immediately messaged to the Senate. Granted.

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## CALENDAR OF THURSDAY, JUNE 25

### Assembly Bill 281

Relating to: the restriction on the amount of phosphorus in certain cleaning agents.

The question was: **Assembly Bill 281** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kaufert, Kessler, Krusick, Mason, Milroy, Molepske Jr., Mursau, Nelson, A. Ott, Parisi, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ripp, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, M. Williams, Wood, Young, Zepnick, Zigmunt and Speaker Sheridan – 60.

Noes – Representatives Ballweg, Brooks, J. Fitzgerald, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Murtha, Nass, Nerison, Newcomer, Nygren, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Roth, Stone, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Ziegelbauer and Zipperer – 37.

Absent or not voting – Representatives Friske and Strachota – 2.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 281** be immediately messaged to the Senate. Granted.

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## VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Jens Jorgensen, son of Representative Jorgensen, guest of Representative Nygren.

Emily Loe and her father, Dan Loe, guest and staff person of Representative Gunderson.

Raquel, Courtney and Debbie Vechinski, guests of Representative Molepske, Jr.

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## ANNOUNCEMENTS

Representative Hixson asked unanimous consent that the Assembly adjourn in honor of Dr. Leslie Steinhaus, who recently retired from her position as District Administrator to the Whitewater Unified School District Board of Education. Granted.

Representative Ballweg asked unanimous consent that the Assembly adjourn in honor of the Wisconsin American Legion Auxiliary on 66 years of providing high school girls

in Wisconsin the experience of developing and running local and state government models. Granted.

Representative Ballweg asked unanimous consent that the Assembly adjourn in honor of her daughter, Becky Ballweg, for winning one of the Wisconsin American Legion Auxiliary's seven state elected offices, that of Lieutenant Governor for the 2009 Badger Girls State. Granted.

Representative Ballweg asked unanimous consent that the Assembly adjourn in honor of the Wautoma High School Boys Track and Field Team, who won the WIAA Division II State Championship. Granted.

Representative Ballweg asked unanimous consent that the Assembly adjourn in honor of the Wautoma High School Boys Football Team, who won the WIAA Division IV State Championship.

Representative Ballweg asked unanimous consent that the Assembly adjourn in honor of Jared Abbrederis, who broke the 28 year state record in the 110 meter hurdles, with a time of 14.35 seconds. Granted.

Representative Milroy asked unanimous consent that the Assembly adjourn in honor of Mark and Cora Liebaert, who were named 2008 Wisconsin Conservation Farmers of the Year and in celebration of their 100 year family farm. Granted.

Representative Berceau asked unanimous consent that the Assembly adjourn in honor of Tess Foster, a senior at Verona High School, for being selected for Badger Girls State. Granted.

Representative Gunderson asked unanimous consent that the Assembly adjourn in honor of his staff person, Emily Loe, who will be leaving his office. Granted.

Representative Garthwaite asked unanimous consent that the Assembly adjourn in honor of the Vietnam Veterans Moving Wall Memorial. The Memorial will be on the University of Wisconsin-Platteville campus July 9–13. Granted.

Representative Sheridan asked unanimous consent that the Assembly adjourn in honor of Dick Wheeler, on the occasion of his birthday and for his 40 years of service to the Legislature. Granted.

Representative Brooks asked unanimous consent that the Assembly adjourn in honor of the Fran Fish Family and the Relay for Life. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the following Sun Prairie World War II veterans who were honored at a gathering in remembrance of the 65th anniversary of D-Day: Robert Anderson, Eddie Anderson, Ollie Berge, H. Paul Bergman, Louis E. Blaser, Frank Brown, Miles Duckert, Raymond Endres, Wilbur Fiedler, Donald Gallagher, John Hein, Claude Holzem, Bill Irwin, Melvin C. Jacob, Willard Jensen, Miles Laubenheimer, Chuck Markle, Gerald McGovern, Floyd Schmidt, Peter Schultz, Donald Strudell, Rudy Suchomel, Wilbert Upton and William Wambach. Granted.

**ADJOURNMENT**

Representative Nelson moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, June 30.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:06 P.M.